

**IN THE UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF ILLINOIS**

**AVANTE INTERNATIONAL
TECHNOLOGY, INC.,**

Plaintiff/Counter-Defendant,

v.

HART INTRERCIVIC, INC.,

Defendant/ and Counter-Plaintiff.

No. 07-CV-0169-DRH

ORDER

HERNDON, District Judge:

Now before the Court is a joint motion to dismiss claims regarding Hart Intercivic, Inc.'s patents without prejudice (Doc. 39). Said motion is **GRANTED**. The Court **DISMISSES without prejudice** Counts I through V of Hart Intercivic, Inc.'s Counterclaim and Counts I through V of Avante's Counterclaim.

IT IS SO ORDERED.

Signed this 30th day of July, 2007.

/s/ David RHerndon
United States District Judge